

**2009 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB75)**

Received: **06/09/2009**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Jeffrey Mursau (608) 266-3780**

By/Representing: **Andrew Potts**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**

Extra Copies: **EVM**

Submit via email: **YES**

Requester's email: **Rep.Mursau@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

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**Pre Topic:**

No specific pre topic given

---

**Topic:**

Funding for state trunk highway bridge maintenance and repair

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**Instructions:**

See attached

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	agary 06/10/2009	kfollett 06/10/2009	phenry 06/10/2009	_____	mbarman 06/10/2009		
/1	agary 06/10/2009	kfollett 06/10/2009	mduchek 06/10/2009	_____	cduerst 06/10/2009	cduerst 06/10/2009	

FE Sent For:

<END>

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/P1	agary 06/10/2009	kfollett 06/10/2009	phenry 06/10/2009	_____	mbarman 06/10/2009		

FE Sent For:

11/5f  
6/10  
6/10 MD  
<END>

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/P1	agary	1P1/gf 6/10	b 10 ph	6 110 ph			

FE Sent For:

<END>

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

Andy - Rep. Mursan

6-3780

- create a grant for ~~Act~~ 167 issue re bridges for maintenance & repair
  - bridge on or crossing ~~STH~~
  - create a ~~grant~~ grant ↓ will be DOT project

LFB - delete earnings on pages 842 & 843

- that # goes to a new grant program

- just under \$3 M

- it's 12, 15, 16, 17, 18, & 19.

- into a new grant program

- grant be sum sufficient to that total

- new appn for bridge maintenance

Total: \$2,950,000

State: \$370,000

SG: \$2,580,000

# 10. HARBOR ASSISTANCE PROGRAM [LFB Paper 774]

	Governor (Chg. to Base)	Jt. Finance (Chg. to Gov)	Net Change
SEG	\$0	\$419,700	\$419,700
BR	19,050,000	-6,350,000	12,700,000
Total	\$19,050,000	-\$5,930,300	\$13,119,700

**Governor:** Provide \$19,050,000 in general obligation bond authority for the harbor assistance program, an increase from \$12,700,000 in bonds provided in the 2007-09 biennium. Once fully issued, annual debt service on the bonds would be about \$1.5 million annually, paid from a transportation fund appropriation. When combined with an appropriation of \$493,800 SEG annually for harbor projects (a 1% reduction from the base funding level), the bill would provide a total of \$20,037,600 for harbor program grants over the biennium. The administration indicates that the increased level of bonding is intended to provide funding for eligible projects that did not receive funding in 2008-09 because of a lack of funds, plus provide the same amount of funding for projects in the 2009-11 biennium.

**Joint Finance:** Reduce the level of new bonding for the program by \$6,350,000, from \$19,050,000 under the bill to \$12,700,000. Increase funding by \$47,600 SEG in 2009-10 and \$372,100 SEG in 2010-11 to reflect estimated debt service on these bonds. Require the Department to submit a report to the Joint Committee on Finance by July 1, 2010, that provides an assessment of current and future harbor improvement needs for the next 10 years, for both freight and non-freight industries.

# 11. TRANSPORTATION ENHANCEMENTS [LFB Paper 775]

	Governor (Chg. to Base)	Jt. Finance (Chg. to Gov)	Net Change
FED	\$12,683,300	\$643,600	\$13,326,900

**Governor:** Provide \$12,683,300 in 2009-10 for the local transportation enhancements grant program from federal stimulus funds. The American Recovery and Reinvestment Act of 2009 provides various types of transportation aid to the states. Of the estimated \$529,111,900 of federal highway aid received by the state, 3%, or \$15,873,400, must be set aside for the transportation enhancements program. The bill would reflect 80% of this amount in the 2009-10 appropriation in the current local grant program for transportation enhancements.

**Joint Finance:** Provide an additional \$643,600 in 2009-10 from federal economic stimulus funds. Based on approvals to date of transportation enhancements grants, it now is estimated that only 16% of the state's \$15,873,400 set-aside for these grants will be used in 2008-09, leaving an estimated \$13,326,900 to be used in 2009-10.

**(12.) TRANSPORTATION ENHANCEMENTS GRANTS FOR THE CITY OF RACINE**

### 13. LOCAL BICYCLE FACILITIES GRANT PROGRAM

SEG	\$5,000,000
-----	-------------

#### 14. SOO LOCKS PROJECT FUNDING

SEG - \$235,600

**15. GRANT FOR MANITOWOC ROAD IN THE VILLAGE OF BELLEVUE**

16.) GRANT FOR CTH X IN CHIPPEWA COUNTY HIGHWAY

**Joint Finance:** Require DOT to award a grant during the 2009-11 biennium for the rehabilitation of CTH X in Chippewa County between 57<sup>th</sup> Avenue and 184<sup>th</sup> Street, from the local transportation facility improvement assistance program, if this project does not receive federal economic stimulus funding. Specify that the amount of the grant shall be \$430,000 or

80% of the project cost, whichever is less.

\$370,000

250,000  
17. GRANT FOR TOWN OF LA PRAIRIE BRIDGE IN ROCK COUNTY

Joint Finance: Require DOT to award a grant of \$250,000 during the 2009-11 biennium to the Town of La Prairie in Rock County from the local bridge improvement assistance program for the replacement and expansion of a bridge on South Reid Road.

State or Fed

100,000  
18. GRANT FOR HURON ROAD IN THE VILLAGE OF BELLEVUE

SEG \$100,000

State  
Joint Finance: Require DOT to make a grant of \$100,000 in 2009-10 to the Village of Bellevue in Brown County for a street beautification project on Huron Road. Provide \$100,000 in 2009-10 in a new, annual appropriation for that purpose and delete the appropriation on July 1, 2011.

20,000  
19. GRANT FOR THE VILLAGE OF FOOTVILLE IN ROCK COUNTY

SEG \$20,000

State  
Joint Finance: Require DOT to make a grant of \$20,000 in 2009-10 to the Village of Footville in Rock County for the construction of a pedestrian path. Provide \$20,000 in 2009-10 in a new, annual appropriation for that purpose and delete the appropriation on July 1, 2011

## State Highway Program

### 1. STATE HIGHWAY REHABILITATION FUNDING [LFB Paper 776]

	Governor (Chg. to Base)	Jt. Finance (Chg. to Gov)	Net Change
FED	\$121,416,000	-\$99,077,700	\$22,338,300
SEG	10,651,200	44,501,700	55,152,900
BR	0	60,000,000	60,000,000
Total	\$132,067,200	\$5,424,000	\$137,491,200

**Governor:** Provide \$132,067,200 FED in 2009-10 from federal stimulus funds for the state highway rehabilitation program. Reduce funding by \$1,995,400 FED in 2009-10 and \$8,655,800 FED in 2010-11 and provide corresponding increases of \$1,995,400 SEG in 2009-10 and \$8,655,800 SEG in 2010-11 to reflect the reallocation of estimated federal highway formula aid among the Department's appropriations, while maintaining total funding constant. Total funding for the program is also affected by two other reduction items, summarized in separate entries. First, under a provision that reduces most nonfederal appropriations by 1%, funding for

the program would be reduced by \$3,447,900 SEG annually. Second, under a provision that makes reductions for various departmentwide administrative functions, funding for contractual engineering services would be reduced by \$7,968,200 SEG in 2009-10 and \$7,337,200 SEG in 2010-11.

Of the federal stimulus funds provided in 2009-10, the bill would allocate \$22,056,500 for projects in the Madison and Milwaukee urban areas, while the remainder could be used anywhere in the state. The federal American Recovery and Reinvestment Act of 2009, which is the source of stimulus funds, requires that a portion of the highway funds be distributed according to current federal highway formulas, which include a required set-aside for individual urban areas with a population exceeding 200,000, as well as set-asides (in aggregate, rather than individually) for smaller urban area categories. The set-asides for all urban categories do not require funds to be distributed to local governments for projects on highways under their jurisdiction, but only that a minimum amount be spent in the designated urban areas on either state or local highways. The amount designated for the Madison and Milwaukee areas in the bill reflects approximately 45% of the total required set-aside for those areas, although the remainder could be allocated to those areas from funds obligated in 2009-10 or from 2009-10 stimulus funds that are undesignated. The bill does not specifically identify stimulus funds to meet the set-aside requirements for the smaller urban areas.

The following table shows the total funding for the program under the bill, including the impact of this summary item, the two reduction items described above, standard budget adjustments (\$77,700 SEG annually), and a separate item that would replace \$30,000,000 of federal funds with an equal amount of SEG funds from the southeast Wisconsin freeway rehabilitation program. The stimulus funds designated for the Madison and Milwaukee urban areas are shown separately and not included in the program total since some or all of this amount may be spent on local highways.

<u>Fund</u>	<u>2008-09 Base</u>	<u>Governor</u>	
		<u>2009-10</u>	<u>2010-11</u>
SEG	\$344,787,600	\$365,444,600	\$372,736,000
FED	345,747,300	313,751,900	307,091,500
FED-Stimulus (State)	—	110,010,700	0
Total	\$690,534,900	\$789,207,200	\$679,827,500
FED-Stimulus (Urban)		\$22,056,500	

A provision of 2009 Act 2 requires the Department to allocate the first \$300,000,000 in federal stimulus funds received by the state to a list of 47 state highway projects. Of these, 36 are part of state highway rehabilitation projects, with a total estimated cost of \$161.8 million. Although the Department indicates that this amount will likely be obligated for contracts in 2008-09, it is not reflected in the 2008-09 appropriation base, and, therefore, is not shown in the table.



Sent from Andy

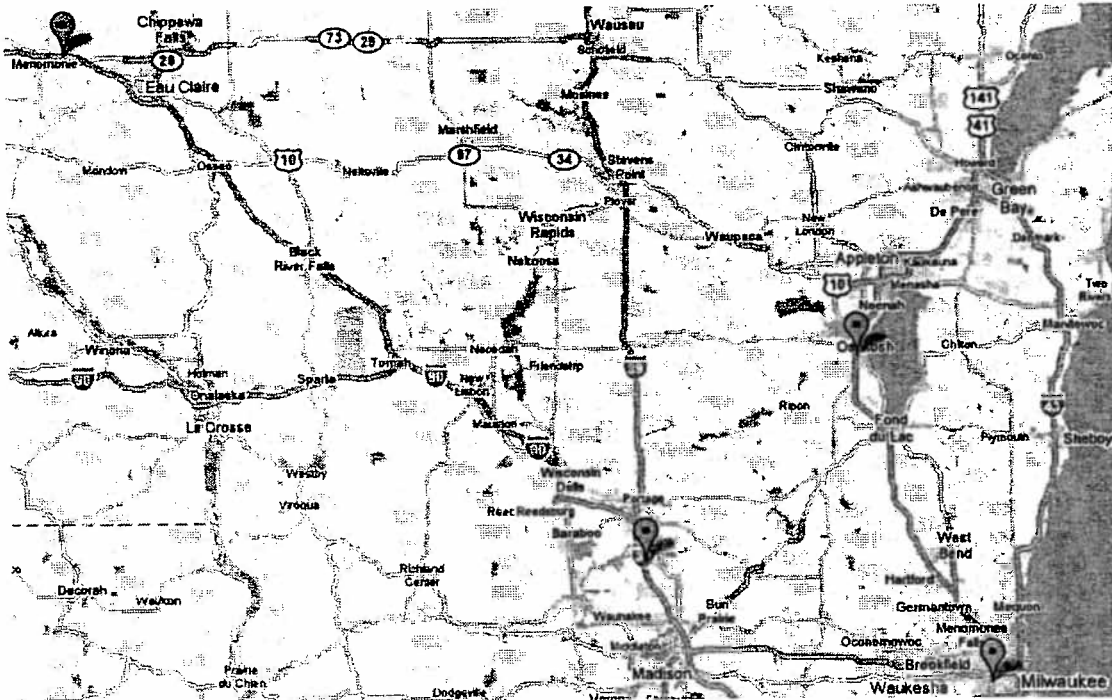
## Bureau of Structures (Act 167) Analysis of Load Postings on Bridges

- The 57 total 45-ton postings resulting from ACT 167 legislation would be reduced to 4 total 45-ton postings if the following guidelines were used:
  - 6 or 7 axle vehicles with the below weight restrictions
  - Conformance to Federal Formula B Guidelines including but not limited to:
    - 20k single axle
    - 34k tandem axle
    - 41k tridem axle
    - Max 6 axle vehicle weight = 94,000 lbs
    - Max 7 axle vehicle weight = 98,000 lbs
- The four postings would be:
  - B-70-34 (CTH K / W. 20<sup>th</sup> Avenue over USH 41) in Oshkosh
  - B-40-125 (W. Lincoln Avenue over IH 894) in West Allis
  - B-17-43 (CTH E over IH 94) near Menomonie
  - B-11-125 (Smokey Hollow Road over IH 90/94 WB) near Poynette
- If 8 axle 108,000 lbs truck was proposed, the following additional bridge would need to be posted:
  - B-46-496 (STH 85 over Bear Creek) near Durand

Attached you will find 3 maps that include:

1. 7 Axle 98 resulting posted bridges (4 Bridges)
2. 8 Axle 108 resulting posted bridges (5 Bridges)
3. Original 57 posted structures

## 7 Axle Posting 98 K – 4 Bridges



STRUCTURE	COUNTY	FEATURE ON	FEATURE UNDER	BUILT	TYPE
B110025	Columbia	Smokey Hollow Road	IH 90	1984	Prestressed Deck Girder (3 span)
B170043	Dunn	CTH E	IH 90/94	1958	Prestressed Deck Girder (4 span)
B400125	Milwaukee	Lincoln Avenue	IH 894	1963	Steel Deck Girder (4 span)
B700034	Winnebago	CTH K	USH 41	1958	Prestressed Deck Girder (4 span)

## 8 Axle Posting 108K -5 Bridges



STRUCTURE	COUNTY	FEATURE ON	FEATURE UNDER	BUILT	TYPE
B110025	Columbia	Smokey Hollow Road	IH 90	1984	Prestressed Deck Girder (3 span)
B170043	Dunn	CTH E	IH 90/94	1958	Prestressed Deck Girder (4 span)
B400125	Milwaukee	Lincoln Avenue	IH 894	1963	Steel Deck Girder (4 span)
B700034	Winnebago	CTH K	USH 41	1958	Prestressed Deck Girder (4 span)
B460496	Pepin	STH 85	Bear Creek	1938	Steel Deck Girder (4 span)

## Original Postings Act 167 – 57 Bridges



STRUCTURE	DISTRICT	COUNTY	FEATURE_ON	FEATURE_UNDER	BUILT
B060013	5	06	STH 35	MISSISSIPPI RIVER TRIB	1951
B060016	5	06	STH 35-MAIN ST	MISSISSIPPI RIVER TRIB	1951
B060017	5	06	STH 35-MAIN ST	MISSISSIPPI RIVER TRIB	1951
B060019	5	06	STH 25	MISSISSIPPI RIVER SLOUGH	1955
B090078	6	09	STH 40-17TH ST	USH 53	1971

B110025	1	11	SMOKEY HOLLOW RD	IH 90 WB-IH 94 WB	1984
B110070	1	11	GROTZKE RD	USH 51-IH 39	1966
B120170	5	12	STH 171	JOY HOLLOW CREEK	1931
B120831	5	12	STH 131-PINE ST	KICKAPOO RIVER	1922
B130100	1	13	HOEPKER RD	IH 90-IH 94	1960
B130101	1	13	PORTAGE RD	IH 90-IH 94	1961
B130479	1	13	STH 19	TOKEN CREEK	1939
B170040	6	17	WILSON ST	IH 94	1958
B170041	6	17	PARKWAY DR	IH 94	1958
B170043	6	17	E	IH 94	1958
B170049	6	17	H HOLLY AVE	IH 94	1959
B180031	6	18	LOWE CREEK RD	IH 94	1965
B180067	6	18	RYDER RD	IH 94	1966
B260002	7	26	STH 182	BEAR RIVER	1948
B270047	5	27	HAUGEN RD	IH 94	1966
B270052	5	27	GILBERTSON RD	IH 94	1966
B270808	5	27	STH 95	SISSON CREEK	1942
B280046	1	28	N	IH 94	1964
B290024	4	29	24TH AVE	IH 90-IH 94	1964
B290026	4	29	CEMETARY RD	IH 90-IH 94	1964
B290031	4	29	N	IH 90-IH 94	1964
B290039	4	29	MEYER RD	IH 90-IH 94	1964
B290041	4	29	43RD ST W	IH 90 EB-IH 94 EB	1964
B290042	4	29	43RD ST W	IH 90 WB-IH 94 WB	1964
B290055	4	29	KEICHINGER RD	IH 90-IH 94	1964
B380513	3	38	USH 141-MAIN ST	WAUSAUKEE RIVER	1925
B380902	3	38	STH 64	PESHTIGO RIVER	1931
B400125	2	40	W LINCOLN AVE	IH 894-USH 45	1963
B410068	5	41	CORTLAND AVE	IH 94	1968
B410389	5	41	STH 16-STH 71-WISC AVE	SOO LINE RR	1939
B450056	2	45	SILVER BEACH RD	IH 43-STH 32	1974
B470982	6	47	STH 35	TRIMBELLE RIVER	1962
B490028	4	49	BARBARAS LANE	USH 51-IH 39	1968
B520856	5	52	STH 130-STH 133	WISCONSIN RIVER 05	1932
B530145	1	53	USH 51	ROCK RIVER	1938
B530945	1	53	STH 213	BR ALLEN CREEK	1930
B550041	6	55	CTH J	IH 94	1958
B550610	6	55	USH 63	RUSH RIVER	1939
B560034	1	56	A	IH 90-IH 94	1960
B610035	5	61	STH 93	ADAMS CREEK	1957
B610948	5	61	USH 53-MAIN ST	BEAVER CREEK	1925
B640008	2	64	STH 120	COMO CREEK	1919
B640027	2	64	TOWN LINE RD	USH 12	1965
B640039	2	64	SPRINGFIELD RD	USH 12	1968
B640210	2	64	STH 36	BR WHITE R	1924
B640665	2	64	STH 36	ORE CREEK	1929

B680427	4	68	STH 49	S BR LITTLE WOLF RIVER	1938
B680739	4	68	STH 54	BR LITTLE WOLF RIVER	1941
B700034	3	70	K W 20TH AVE	USH 41	1958
B700061	3	70	USH 10-STH 441	LIT LAKE BUTTE DE MORTS	1975
B700065	3	70	Y SUNNYVIEW RD	USH 41	1975
B700066	3	70	GG	USH 41	1975



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRBb0815/P1

ARG:...

in  
6/16

gf

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

**ASSEMBLY AMENDMENT ,**

**TO ASSEMBLY SUBSTITUTE AMENDMENT 1,**

**TO 2009 ASSEMBLY BILL 75**

(J. N. K.)

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 146, line 16: increase the dollar amount for fiscal year 2009-10 by
- 3 \$370,000 for the purpose of state trunk highway system bridge maintenance and
- 4 repair.
- 5 **2.** Page 148, line 16: delete lines 16 to 19.
- 6 **3.** Page 294, line 3: delete lines 3 to 12.
- 7 **4.** Page 1828, line 16: delete lines 16 to 20.
- 8 **5.** Page 1829, line 5: delete lines 5 to 15.
- 9 **6.** Page 1829, line 23: delete the material beginning with that line and ending
- 10 with page 1830, line 3.

1           **7.** Page 1830, line 18: delete the material beginning with that line and ending  
2 with page 1831, line 10.

3           **8.** Page 1832, line 10: delete lines 10 to 14.

4           **9.** Page 1834, line 5: after that line insert:

5           “(100) STATE TRUNK HIGHWAY SYSTEM BRIDGE MAINTENANCE AND REPAIR.

6           (a) Except as provided in paragraph (b), from the appropriation accounts under  
7 section 20.395 (3) (eq) and (ex) of the statutes, the department of transportation shall  
8 allocate \$2,950,000 for the maintenance and repair of the 57 bridges on or crossing  
9 the state trunk highway system that the department has identified as having  
10 structure numbers B060013, B060016, B060017, B060019, B090078, B110025,  
11 B110070, B120170, B120831, B130100, B130101, B130479, B10040, B170041,  
12 B170043, B170049, B180031, B180067, B260002, B270047, B270052, B270808,  
13 B280046, B290024, B290026, B290031, B290039, B290041, B290042, B290055,  
14 B380513, B380902, B400125, B410068, B410389, B450056, B470982, B490028,  
15 B520856, B530145, B530945, B550041, B550610, B560034, B610035, B610948,  
16 B640008, B640027, B640039, B640210, B640665, B680427, B680739, B700034,  
17 B700061, B700065, and B700066.

18           (b) The department of transportation may not allocate any federal funds under  
19 paragraph (a) for the maintenance or repair of any bridge if the expenditure of those  
20 federal funds for this purpose would violate any condition imposed by the federal  
21 government on the expenditure of those federal funds.”.

22           **10.** Page 1901, line 9: delete lines 9 to 12.

23           (END)

*D. Note*



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0815/P1dn

ARG...

Date

ATTN: Andrew Potts

Please review the attached draft carefully to ensure that it is consistent with your intent.

The reason the appropriation increase in item 1. is so small is that, for the projects that are deleted in this amendment, only \$370,000 of the \$2,950,000 total involves the expenditure of state funds; \$2,580,000 of the total project funding comes from federal funds and I am uncertain to what extent federal funds are available for bridge maintenance and repair as specified in this draft.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "1" draft.

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: aaron.gary@legis.wisconsin.gov

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0815/P1dn  
ARG:kjf:ph

June 10, 2009

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Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: [aaron.gary@legis.wisconsin.gov](mailto:aaron.gary@legis.wisconsin.gov)

## Gary, Aaron

---

**From:** Potts, Andrew  
**Sent:** Wednesday, June 10, 2009 12:33 PM  
**To:** Gary, Aaron  
**Subject:** LRBb0815

Aaron,

Yep, that pretty well captures it. We've had the same concern about the federal dollars, so the language works for Rep. Mursau.

Andy



*pmn*

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**  
**ASSEMBLY AMENDMENT ,**  
**TO ASSEMBLY SUBSTITUTE AMENDMENT 1,**  
**TO 2009 ASSEMBLY BILL 75**

*No changes*

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- 2 **1.** Page 146, line 16: increase the dollar amount for fiscal year 2009-10 by
- 3 \$370,000 for the purpose of state trunk highway system bridge maintenance and
- 4 repair.
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- 6 **3.** Page 294, line 3: delete lines 3 to 12.
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- 9 **6.** Page 1829, line 23: delete the material beginning with that line and ending
- 10 with page 1830, line 3.

1           **7.** Page 1830, line 18: delete the material beginning with that line and ending  
2 with page 1831, line 10.

3           **8.** Page 1832, line 10: delete lines 10 to 14.

4           **9.** Page 1834, line 5: after that line insert:

5           “(10f) STATE TRUNK HIGHWAY SYSTEM BRIDGE MAINTENANCE AND REPAIR.

6           (a) Except as provided in paragraph (b), from the appropriation accounts under  
7 section 20.395 (3) (eq) and (ex) of the statutes, the department of transportation shall  
8 allocate \$2,950,000 for the maintenance and repair of the 57 bridges on or crossing  
9 the state trunk highway system that the department has identified as having  
10 structure numbers B060013, B060016, B060017, B060019, B090078, B110025,  
11 B110070, B120170, B120831, B130100, B130101, B130479, B17040, B170041,  
12 B170043, B170049, B180031, B180067, B260002, B270047, B270052, B270808,  
13 B280046, B290024, B290026, B290031, B290039, B290041, B290042, B290055,  
14 B380513, B380902, B400125, B410068, B410389, B450056, B470982, B490028,  
15 B520856, B530145, B530945, B550041, B550610, B560034, B610035, B610948,  
16 B640008, B640027, B640039, B640210, B640665, B680427, B680739, B700034,  
17 B700061, B700065, and B700066.

18           (b) The department of transportation may not allocate any federal funds under  
19 paragraph (a) for the maintenance or repair of any bridge if the expenditure of those  
20 federal funds for this purpose would violate any condition imposed by the federal  
21 government on the expenditure of those federal funds.”.

22           **10.** Page 1901, line 9: delete lines 9 to 12.

23           (END)